



THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

**WILL WILSON
ATTORNEY GENERAL**

June 20, 1957

Honorable Lewis Gross, Chairman
Texas State Board of Registration
for Professional Engineers
Austin, Texas

Opinion No. WW-144

Re: Do the provisions of the Acts of the 45th Legislature, R.S., 1937, ch. 404, Sec. 1, p. 816, apply to the owners of a corporation which uses the term, "Engineering", in its corporate title, where the corporation is engaged in the manufacturing business and does not hold itself out to the public as being available to render engineering services?

Dear Mr. Gross:

This opinion is in response to your request in which you ask a question which is substantially as follows:

"Does Section 1 of the Engineering Registration Act (Acts of the 45th Legislature, R.S., 1937, ch. 404, Sec. 1, p. 816) apply to the conditions as set out in the attached letter?"

The attached letter sets forth the fact that a private corporation has obtained a charter and is doing business under the title of "Vaden Engineering Company". The letter goes on to state that the owners of the corporation in question are operating a manufacturing plant and do not hold themselves out to the public as being available to render engineering services.

Section 1 of the Engineering Registration Act, Acts of the 45th Legislature, R.S., 1937, ch. 404, p. 816 (Article 3271a, V.C.S., Sec. 1), reads as follows:

"That in order to safeguard life, health, and property, any person practicing or offering to practice the profession of engineering as hereinafter defined shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or offer to practice the profession of

engineering in the State or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer unless such person has been duly registered or exempted under the provisions of this Act." (Emphasis added)

Section 1 prohibits a person from practicing or offering to practice the profession of engineering in this State without being duly licensed, and also prohibits the use of any title or description tending to convey the impression that he is a professional engineer.

We are of the opinion that the word "engineering" in the title of the Vaden Engineering Company clearly gives the impression that this organization is qualified to render engineering service. To convey such an impression by its name is in direct violation of Section 1. In effect, we are of the opinion that any company who uses the word "engineering" in its title and whose members have not qualified under the Act is in violation of the Act.

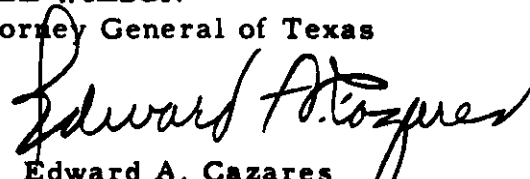
SUMMARY

Any company or organization who uses the word "engineering" in its title and whose members have not qualified under the Act is in violation of the Acts of the 45th Legislature, R.S., ch. 404, Section 1, p. 816 (Article 3271a, Section 1, V.C.S.).

Very truly yours,

WILL WILSON
Attorney General of Texas

By


Edward A. Cazares
Assistant

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APPROVED:

OPINION COMMITTEE:

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REVIEWED FOR THE ATTORNEY GENERAL

BY: Geo. P. Blackburn